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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/742,696	12/19/2000	Robert Callaghan	00 P 7532 US 01	9143

7590 02/06/2004	**EXAMINER**
Siemens Corporation	PATEL, HARESH N

ART UNIT	PAPER NUMBER
2154	

Siemens Corporation
Attn: Elsa Keller, Legal Administrator
Intellectual Property Department
186 Wood Avenue South
Iselin, NJ 08830

DATE MAILED: 02/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-15_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-15_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application)
since a specific reference was included in the first sentence of the specification or in an Application Data Sheet.
37 CFR 1.78.

    a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific
reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: .

DETAILED ACTION

1.   Claims 1-15 are presented for examination.

Response to Arguments

2.   Applicant's arguments with respect to claims 7-15 have been considered but are moot in

view of the new ground(s) of rejection necessitated by Applicant's amendments to the claims.

Specification

3.   The title of the invention is not descriptive. A new title is required that is clearly

indicative of the invention to which the claims are directed. The title should contain key terms of

the invention, i.e., PBX, Server between PBX and a packet network.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

5.   Claims 1, 6, 7 and 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Gudjonsson et. al. 6,564, 261 (Hereinafter Gudjonsson) in view of Draginich et. al. 6,560,329

(Hereafter Draginich) and Coulouris et. al. Distributed Systems Concepts and Design, Second

edition, 1994, pages 34-38 (Hereinafter Coulouris).

6.   As per claims 1, 6, 7 and 12-15, Gudjonsson teaches the following:

a system comprising, a method comprising,

dispatcher adapted to receive and dispatch one or more messages to one or more software

subsystems (i.e., routing service receiving user requests and dispatching to the registered device

handlers to handle the requests, figure 13, col., 1, line 52 – col., 16, line 43),

a software dispatcher (i.e., routing service, figure 13) adapted to maintain a list of

message receivers (e.g., contact list, registered device handlers and users, load balancing service,

figure 13), said list comprising a list of integers, subsystem provide a dispatcher with an

identification of a message to be delivered (e.g., UserID, figure 18(a)) identifying which

receivers are to receive particular messages, dispatcher identifies a destination (e.g., identifying

of the users to receive the messages through the device handlers, col., 1, line 52 – col., 16, line

43),

the dispatcher identifying and distributing the messages by unique integer and node (e.g.,

user identification and mapping, unique per CID, figure 12(b), database (13) containing device

handler identification related to a user node for load balancing, figure 13, col., 1, line 52 – col.,

16, line 43),

a plurality of message receivers (e.g., users through device handlers, col., 1, line 52 –

col., 16, line 43), said message receivers adapted to identify to said software dispatcher particular

messages for receiving, registered receivers (e.g., a device handler is installed that accepts text

pages, looks up the receiver's mobile number and then sends all the relevant information to some

standard paging gateway, such as an SMS gateway. Alternatively, a device handler may enable

phone calls, col., 1, line 52 – col., 16, line 43),

receivers registering to receive predetermined messages with said dispatcher (e.g., to

dispatch text pages to the mobile cellular telecommunications network, a device handler is

installed that accepts text pages, looks up the receiver's mobile number and then sends all the

relevant information to some standard paging gateway, such as an SMS gateway. Alternatively,

a device handler may enables phone calls, col., 1, line 52 – col., 16, line 43),

Gudjonsson teaches that the server dispatching the messages can be anywhere on the

network (e.g., a device handler is a communication endpoints to which the routing service can

dispatch invitations. Device handlers are specifically used to interface with other networks, col.,

1, line 52 – col., 3, line 20).

However, Gudjonsson does not specifically mention about a server coupled with a private

branch exchange.

Draginich teaches the following:

telecommunication system (telecom system, figure 2),

a private branch exchange (PBX, figure 2),

a server coupled to the private branch exchange (e.g., call server and routing controller

coupled to the private branch exchange, figure 2), the server adapted to interface the private

branch exchange to a packet network (e.g., call server and routing controller coupled to the

private branch exchange, figure 2), the server including a software dispatcher (i.e., The call

server generates call information from the information from the caller and/or the call arrival data.

The routing controller receives agent status data from the agent stations and the call information

and selects an agent station from the call information and the agent status data. The routing

controller causes the call server to direct the network to route the call to the selected agent

station, abstract).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of Draginich with the teachings of Gudjonsson in order to

facilitate dispatching of messages to the registered devices on the network using a PBX

exchange. A server would provide message conversion between protocols used by the PBX and

the devices on a private network.

Gudjonsson teaches dispatching of messages that use synchronous and asynchronous

communication mechanism (e.g., Unified messaging systems allow users to provide essentially

one address for a variety of communication options, typically including phone calls, voice

mailbox, fax, and e-mails, col., 1, line 52 – col., 3, line 20).

However, Draginich and Gudjonsson do not specifically mention about the synchronous

and asynchronous messages sent to the receiver.

Coulouris teaches the following:

dispatching messages to the message receivers synchronously and asynchronously (e.g.,

the mechanism may be synchronous or blocking meaning that the sender waits after transmitting

a message until the receiver has performed a receive operation or it may be asynchronous or non-

blocking meaning that the message is placed in a queue of messages waiting for the receiver to

accept them and the sending process can proceed immediately, page 34, line 15 – page 38, line

30).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of Draginich and Gudjonsson with the teachings of

Coulouris in order to facilitate communication for the dispatcher to interact with the registered

devices. The dispatcher can send the messages to the registered devices on the network using a

synchronous or asynchronous mechanism depending on the type of messages it received.

7.   Claims 2 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Gudjonsson, Coulouris and Draginich in view of Elliott et. al. 6,335,927 (Hereinafter Elliott).

8.   As per claims 2, and 8, Gudjonsson, Coulouris and Draginich do not specifically mention

about the details of claims 2 and 8.

Elliott teaches the following:

said software dispatcher is adapted to save asynchronous messages for later transmission

in one or more logical message queues (e.g., Some examples of process to process software

interfaces include function or subroutine calls, message queues, shared memory, direct memory

access (DMA), and mailboxes, col., 58, line 1 – col., 66, line 40).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of Gudjonsson, Coulouris and Draginich with the teachings

of Elliott in order to facilitate usage of the available resources efficiently. Dispatcher can put the

asynchronous message in the message queue and the device handler can handle the message

whenever it is ready to process it.

9.   Claims 3 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Gudjonsson, Coulouris and Draginich in view of Elliott.

10.   As per claims 3 and 9, Gudjonsson, Coulouris and Draginich do not specifically mention about the details of claims 3 and 9.

Elliott teaches the following:

messages are dispatched in order of their priority (e.g., a priority routing technique to favor packets destined for specific network interfaces over packets destined for other network interfaces, col., 58, line 1 – col., 66, line 40).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Gudjonsson, Coulouris and Draginich with the teachings of Elliott in order to facilitate dispatching messages in the order of their importance. The messages that need to be processed immediately can be delivered to the device handler before the messages that can be processed later.

11.   Claims 4-5 and 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gudjonsson, Coulouris and Draginich in view of Elliott.

12.   As per claims 4-5 and 10-11, Gudjonsson, Coulouris and Draginich do not specifically mention about the details of claims 4-5 and 10-11.

dispatching messages comprising dispatching messages as flexible message parameters comprising name, type, and value fields (e.g., Parameters, Name Description Cstring m_name name of the site, type The type of message, as defined in the Data Types, errCode, appendix, col., 275)

said value field can comprise another flexible message parameter (e.g., errCode, The error or warning code as defined in the application's resources, appendix, col., 275).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Draginich with the teachings of Neuman in order to facilitate the dispatcher to include name, type and a linking parameter in the message structure that is sent to the device handlers. The device handlers would process the message according to the parameter values of the message.

Conclusion

Applicant has added claim 12 containing PBX and a packet network. However, the independent claims do not mention about any communication of messages between the dispatcher, PBX and a packet network elements, i.e., where the dispatcher is getting messages from and where the dispatcher is sending messages. Claims do not reflect any usage of the dispatcher for the PBX and a packet network. Also claims do not reflect whether receivers belong to the packet network or PBX and what mechanism they use to communicate. Claims contain minor details related to the message used in the communication, however, the rationale of the invention is missing, i.e., Telephony Internet Servers need to be able to dynamically add features and balance system workload between a packet network and PBX, page 1, lines 26-32.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haresh Patel whose telephone number is (703) 605-5234. The examiner can normally be reached on Monday, Tuesday, Thursday and Friday from 10:00 am to 8:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee, can be reached at (703) 305-8498.

The appropriate fax phone number for the organization where this application or

proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (703) 305-3900.

Haresh Patel

January 19, 2004.

JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100